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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,235	06/27/2003	Niall O'Donoghue	800.0297.U1(US)	8545
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EXAMINER				
OKEKE, EZUNNA				
ART UNIT		PAPER NUMBER		
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11/06/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/608,235

Applicant(s)

O'DONOGHUE, NIALL

Examiner

IZUNNA OKEKE

Art Unit

2432

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06/19/2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Guthery (US-6567915).

a. *Referring to claims 1, 7, 13 and 14:*

Regarding claim 1 and similar claims 7, 13 and 14, Guthery teaches a method comprising:
maintaining a centralized register of usage contexts and pre-stored user profiles of a user in an electronic device (Fig 3. and Col 7 Line 33 thru Col 8, Line 20.... authentication table maintained on a smart card of a PCD comprising usage contexts or identities and user profiles or authentication protocol), where each user profile of the user is being associated with at least one usage context (Fig 3.... Identities and authentication protocol association),
entering a particular one of said plurality of usage contexts, said particular one being a selected usage context (Col 8, Line 3-20.... Plurality of usage contexts wherein one can be selected such

as a bank transaction),

identifying said entering, selecting from the centralized register a user profile in response to said identifying (Col 8, Line 3-20.... Identifying the authentication protocol or user profile associated with the identity), and
performing authentication of the user of the electronic device in the selected usage context by using data from the selected user profile (Fig 3. and Col 8, Line 3-20.... authenticating the identity using the associated user profile such as authenticating a bank transaction using a certificate).

a. Referring to claims 2, 10 and 17:

Regarding claim 2 and similar claims 10 and 17, Guthery teaches a method according to claim 1, wherein the selected user profile comprises at least one of the following: a user key, a user certificate (Fig 3. authentication protocol and data {user key, user certificate, user PIN etc}).

a. Referring to claims 3, 11 and 18:

Regarding claim 3 and similar claims 11 and 18, Guthery teaches a method according to claim 2, wherein said user key further comprises at least one of the following a public key and a secret key (Fig 3. and Col 7, Line 45-47... public key user profile or authentication protocol).

a. Referring to claim 4:

Regarding claim 4, Guthery teaches a method according to claim 1, wherein the selected usage context comprises an event in a service or application being used in the electronic device by the user, said event further comprising at least one of the following: authentication event, verifying event (Fig 3 and Col 8, Line 3-20.... usage contexts or identities comprising an even such as a bank transaction which also comprises authenticating the transaction).

a. Referring to claims 5, 8 and 15:

Regarding claim 5 and similar claims 8 and 15, Guthery teaches a method according to claim 1, wherein the authentication comprises authenticating user's identity when accessing to the selected usage context (Col 7, Line 40-45... authenticating user's identity).

a. Referring to claims 6 and 16:

Regarding claim 6 and similar claim 16, Guthery teaches a method according to claim 1, wherein the authentication comprises authenticating a transaction made by the user in the selected usage context (Col 8, Line 3-20).

a. Referring to claim 9:

Regarding claim 9, Guthery teaches an electronic device according to claim 7, wherein said performing means are arranged to perform said authentication by using said data from the selected user profile to authenticate a transaction made by the user in the selected usage context (See the rejection in claims 5 and 6).

a. Referring to claim 12 and 19:

Regarding claim 12 and similar claim 19, Guthery teaches an electronic device according to claim 11, wherein said electronic device is a mobile communication device (Col 5, Line 25-27... smart card of invention embedded in a mobile communication device).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to IZUNNA OKEKE whose telephone number is (571)270-3854. The examiner can normally be reached on 9:00am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (571) 272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/I. O./
Examiner, Art Unit 2432

/Jung Kim/
Primary Examiner, AU 2432